

2811



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: ITO

#15 / Supp.  
IDS  
9-20-03  
Rabu

SERIAL NO.: 09/735,005

FILED: December 12, 2000

FOR: Semiconductor Device Having Dummy Gates and its Manufacturing...

GROUP: 2811

EXAMNIER: GEBREMARIAM, SAMUEL A.

DOCKET: NEC 444

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECHNOLOGY CENTER 2800

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JUL 16 2003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicant hereby attaches U.S. Patent Office form PTO-1449, including copies of the references listed therein. Where available, English language counterparts and/or abstracts are being provided for Examiner's convenience. These references were cited in the Japanese Office Action dated May 6, 2003 of the underlying Japanese patent application. Enclosed is a copy of the Japanese Office Action, together with an English translation of the relevant portions thereof. The claims in the present application are believed to be patentably distinguished over these references.

This Supplemental Information Disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

HAYES SOLOWAY P.C.

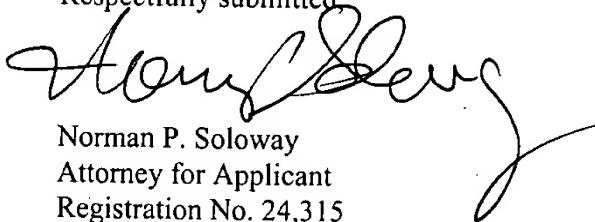
130 W. CUSHING ST.  
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MANCHESTER, NH 03101  
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In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted therewith.

The enclosed Supplemental Information Disclosure Statement is being submitted within three months of the Japanese Office Action, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are additional fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,

  
Norman P. Soloway  
Attorney for Applicant  
Registration No. 24,315

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 10, 2003 at Tucson, Arizona.

By:



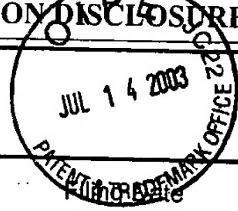
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STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

Docket No.  
NEC 444

In Re Application Of: ITO



Serial No.  
09/735,005

December 12, 2000

Examiner  
GEBREMARIAM, SAMUE

Group Art Unit  
2811

Invention: Semiconductor Device Having Dummy Gates and its Manufacturing Method

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

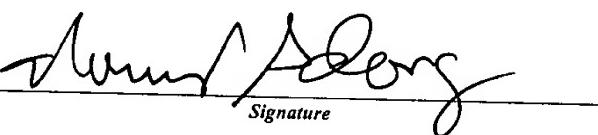
Statement Under 37 CFR 1.97(e)(2)

- No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

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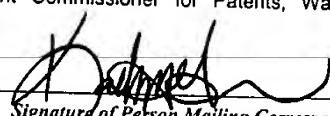
  
Signature

Dated: 7/10/03

Norman P. Soloway  
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130 W. Cushing Street  
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Certificate of Mailing by First Class Mail

I certify that this document is being deposited on July 10, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

Kathryn Grimes

Typed or Printed Name of Person Mailing Correspondence

cc:

## **INFORMATION DISCLOSURE CITATION**

*(Use several sheets if necessary)*

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PATENT NUMBER  
CANCELLATION MARK OFF

## **U.S. PATENT DOCUMENTS**

Application Number	
<b>09/735,005</b>	
<b>2000</b>	Group Art Unit <b>2811</b>

## **FOREIGN PATENT DOCUMENTS**

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	10-092921	4.10.98	JAPAN (w/abstract)	H01L	21/76		✓
	09-181159	7.11.97	JAPAN (w/abstract)	H01L	21/76		✓

**OTHER DOCUMENTS** (*Including Author, Title, Date, Pertinent Pages, Etc.*)

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**EXAMINER**

**DATE CONSIDERED**

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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant.